

1 THE HONORABLE THOMAS S. ZILLY
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7 UNITED STATES DISTRICT COURT
8 FOR THE WESTERN DISTRICT OF WASHINGTON
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10 BUNGIE, INC., a Delaware corporation,
11 Plaintiff
12 v.
13 AIMJUNKIES.COM, a business of unknown
14 classification; PHOENIX DIGITAL GROUP
15 LLC, an Arizona limited liability company;
16 JEFFREY CONWAY, an individual; DAVID
17 SCHAEFER, an individual; JORDAN GREEN,
18 an individual; and JAMES MAY, an individual,
19 Defendants.

20 Cause No. 2:21-cv-0811 TSZ
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23 **DECLARATION OF PHILIP P.
24 MANN IN SUPPORT OF
25 DEFENDANTS' MOTION TO
26 DISMISS AND/OR REFER TO
27 MANDATORY ARBITRATION**

28 **Note on Motion Calendar:
February 4, 2022**

Oral Argument Requested

I, Philip P. Mann, under penalty of perjury under the laws of the United States, state
and declare as follows:

1. I am counsel for all Defendants in the above captioned matter.
2. Attached as Exhibit A is a true and correct copy of the May 29, 2021 ORDER
ON DEFENDANTS' MOTION TO DISMISS issued by U.S. Magistrate Judge
David W. Christel of the United States District Court for the Western District
of Washington at Tacoma in connection with *Enterprise Management, et al. v
Construx Software, et al.*, Case No. 2:19-cv-1458-DWC.
3. Attached as Exhibit B is a true and correct copy of the initial Complaint filed
in *Enterprise Management, et al. v Construx Software, et al.*

4. Attached as Exhibit C is a true and correct copy of the First Amended Complaint filed in *Enterprise Management, et al. v Construx Software, et al.*

Dated January 10, 2022.

/s/ Philip P. Mann
Philip P. Mann